

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ron Schoenbaum on March 9, 2008.

The application has been amended as follows:

In the claims:

10. (Currently amended) A method in a computing system for assisting users in selecting items to order, comprising:

determining, for each of a plurality of items, via execution of instructions by a computing device, a score reflecting the extent to which the respective item has been ordered by customers who have been determined to commonly order items promptly after they become available, each score corresponding to a respective item; and

incorporating information pertaining to said scores into item detail pages of an electronic catalog that provides functionality for customers to browse and place orders for items, said information enabling customers to compare at least some of the items in terms of an extent to which such items have been ordered by customers who commonly order items promptly after they become available;

wherein the method comprises using said scores to select a subset of items that represent early adopter selections, and incorporating information into corresponding item detail pages identifying each item in said subset as an early adopter selection.

15. (Currently amended) A computer-readable medium whose contents cause a computing system to perform a method that comprises:

for each of a plurality of items, determining a score for the item in a manner that causes it to (1) positively relate to the extent to which the item has been ordered by customers who have been determined to commonly order items promptly after they become available, (2) positively relate to the item's price, and (3) negatively relate to the amount of time that has elapsed since the item became available for ordering;

storing, in physical computer storage, indications identifying at least a portion of the items having the highest scores; and

~~when a user accesses~~ responsive to a user accessing an item detail page for a first item of said items having the highest scores during browsing of an electronic catalog of items, outputting information to the user, via the item detail page, that reveals at least a range in which the first item's score falls, said item detail page being specific to said first item and providing functionality for placing an order for the first item.

37. (Canceled)

45. (New) The system of claim 38, wherein the data analyzer comprises computer hardware that executes said executable code.

46. (New) The method of claim 10, wherein the method, including determining the scores, using the scores to select a subset of items, and incorporating information into item detail pages, is performed by a machine that comprises one or more computing devices.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON B. DUNHAM whose telephone number is (571)272-8109. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD 3/11/09

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